

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

FRANK FUZY, III, *et al.*

Civil Action No.: 19-18434

Plaintiffs,

**ORDER**

v.

WESTFIELD BOARD OF EDUCATION, *et al.*

Defendants.

**CECCHI, District Judge.**

This matter comes before the Court by way of three motions: (1) a consolidated motion to dismiss and motion for summary judgment filed by Defendants Lilian Gail Alston, Mike Seiler, Lisa Quackenbush, and Lori Swanson, (ECF No. 79); (2) a motion for summary judgment filed by Defendants Westfield Board of Education, Margaret Dolan, David Duelks, Peggy Oster, Amy Root, Michael Bielen, Lynn Benner, Kent Diamond, Brendan Galligan, Gretchen Ohlig, Tara Oporto, Charles Ostroff, Eileen DeFabio, and Jennifer Ulrich (ECF Nos. 80 & 101); and (3) a consolidated motion to dismiss and motion for summary judgment filed by Defendants New Jersey Education Association, Marie E. Blistan, Maryanne Rodriguez, and Aileen O'Driscoll (ECF No. 81). Plaintiffs Frank Fuzy, III and Marie Elaina Fuzy opposed the motions. ECF Nos. 83, 89, 90, 92. The Defendants filed replies. ECF Nos. 84, 103, 104. The Court treated all motions as motions to dismiss, and for the reasons set forth in the accompanying Opinion,

**IT IS** on this 29th day of April, 2022:

**ORDERED** that the motions (ECF Nos. 79, 80, 81) are **GRANTED**; and it is further

**ORDERED** that the Complaint (ECF No. 1) is **DISMISSED WITHOUT PREJUDICE**; and it is further

**ORDERED** that to the extent Plaintiffs can cure the deficiencies identified in the accompanying Opinion, they may file an amended pleading within thirty (30) days of the date of this Order; and it is further

**ORDERED** that the Clerk of the Court shall **CLOSE** this case; and it is further

**ORDERED** that if Plaintiffs timely file an amended complaint that comports with the Court's Opinion and Order, the Clerk of the Court shall re-open this matter at that time.

**SO ORDERED.**

s/ Claire C. Cecchi

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**CLAIRE C. CECCHI, U.S.D.J.**